

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

March 18, 2002

2:00 P. M.

The Council of the City of Roanoke met in regular session on Monday, March 18, 2002, at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members William D. Bestpitch, Linda F. Wyatt, William H. Carder, W. Alvin Hudson, Jr., C. Nelson Harris, William White, Sr., and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

(Council Member White left the meeting at the conclusion of agenda item 5.a.)

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend W. Ray Douglas, Pastor, Price Memorial African Episcopal Zion Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS AND ACKNOWLEDGEMENTS: None.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to four requests for Closed Session.

MINUTES: Minutes of the regular meeting of Council held on Monday, February 4, 2002, were before the body.

Mr. Carder moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris, White, and Mayor Smith-----7.

NAYS: None-----0.

PURCHASE/SALE OF PROPERTY-CITY COUNCIL: A communication from the City Manager requesting a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before Council.

Mr. Carder moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss the disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris, White, and Mayor Smith-----7.

NAYS: None-----0.

PURCHASE/SALE OF PROPERTY-CITY COUNCIL: A communication from the City Manager requesting a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before Council.

Mr. Carder moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris, White, and Mayor Smith-----7.

NAYS: None-----0.

CITY ATTORNEY-CITY COUNCIL: A report of the City Attorney requesting a Closed Meeting in order that Council may consult with legal counsel on a matter of probable litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of the City Attorney to convene in a Closed Meeting in order that Council may consult with legal counsel on a matter of probable litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris, White, and Mayor Smith-----7.

NAYS: None-----0.

CITY ATTORNEY-CITY COUNCIL: A report of the City Attorney requesting a Closed Meeting in order for Council to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of the City Attorney to convene in a Closed Meeting in order for Council to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris, White, and Mayor Smith-----7.

NAYS: None-----0.

CITYMANAGER-ENTERPRISE ZONE: A communication from the City Manager advising that on January 1, 1984, the Commonwealth of Virginia designated Enterprise Zone One, then known as the City of Roanoke's Urban Enterprise Zone; on January 1, 1996, the Commonwealth of Virginia designated Enterprise Zone Two;

and the City's Department of Economic Development completed an evaluation of local incentives for the City's two Enterprise Zones in 2001 and concluded that amendments were needed to increase the effectiveness of the program, was before Council.

It was further advised that in accordance with the Department of Housing and Community Development's Virginia Enterprise Zone Program Regulations, the local governing body must hold at least one public hearing before submitting an application for amendments to the Department of Housing and Community Development for approval; whereupon, the City Manager recommended that Council authorize the City Clerk to advertise a public hearing on the above amendments on Monday, April 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard by the Council.

Mr. Carder moved that Council concur in the recommendation of the City Manager. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris, White, and Mayor Smith-----7.

NAYS: None-----0.

REGULAR AGENDA

SCHOOLS: A communication from the City Clerk advising that the deadline for receipt of applications for appointment to the Roanoke City School Board for two three-year terms of office, commencing July 1, 2002 and ending June 30, 2005, was Friday, March 8, 2002, at 5:00 p.m., was before Council.

The City Clerk advised that applications were received from the following persons:

James P. Beatty
Robert H. Bird
Carl D. Cooper
Edward Garner
William H. Lindsey
William E. Skeen
Robert J. Sparrow

Without objection by Council, the Mayor advised that the applications would

be received and filed.

PUBLIC HEARINGS: None.

PETITIONS AND COMMUNICATIONS:

PARKS AND RECREATION-ACTS OF ACKNOWLEDGEMENT: Vice-Mayor Carder presented a communication advising that the City of Roanoke has struggled to identify a memorial befitting Dr. Martin Luther King, Jr.; public debate on the issue of renaming Orange Avenue saw polarization in the community, leaving the City divided on the issue; and Council and the City Manager, in order to mend the fences of division, sought to establish a committee with the assistance of the local branch of the SCLC that would be charged with the goal of bringing forward to the City Manager and to City Council a recommendation for a memorial to Dr. King, which committee was established and its representation was diverse and reflective of the diversity of the City.

He further advised that the committee met for over 18 months, solicited opinions and suggestions through a variety of methods and made its recommendation to the City Manager; i.e.: the renaming of Elmwood Park to Martin Luther King Jr. Park, which recommendation was received with resistance from some elements in the community, citing the historical nature of the Elmwood Park name.

Vice-Mayor Carder explained that an alternative proposal was submitted to the committee and to the SCLC; i.e.: that the north side of Elmwood Park consisting of the lily ponds, bordered by Williamson Road, the Jefferson Lodge to Franklin Road be designated as Martin Luther King, Jr. Plaza, and that the remainder of the park would keep the name of Elmwood, which alternative was approved by the committee, the local SCLC, the National Office of the SCLC, and the King Family Foundation.

Vice-Mayor Carder expressed appreciation to the committee and encouraged the Members of Council to adopt a measure designating the above referenced portion of Elmwood Park as Dr. Martin Luther King Jr. Plaza, and refer design and cost issues to the City Manager for review and recommendation to Council. He stated that it has been said by some persons in the community that the memorial is not befitting to Dr. King; however, he advised that the memorial itself has yet to be designed and it is hoped that citizens and organizations will come forth to provide assistance and input to the design process. He explained that the proposed plaza is not contingent upon Bullitt Avenue going through to Williamson Road which can be accomplished without the cut through of Bullitt Avenue.

Mr. Bestpitch offered the following resolution:

“A RESOLUTION renaming a portion of Elmwood Park the Martin Luther King, Jr. Plaza, in honor of the slain civil rights leader.”

Mr. Bestpitch moved the adoption of the aboveresolved resolution. The motion was seconded by Mr. Carder.

Mr. W. G. Ammen, 3948 Greenlee Road, S. W., appeared before Council in opposition to the proposal offered by Vice-Mayor Carder, and stated that there are other sites and locations in the City of Roanoke that are worthy of Dr. King’s name. He expressed concern that the City Manager declined to provide him with the names of the Dr. Martin Luther King, Jr. Memorial Selection Committee, and called attention to a conflict of interest by the Vice-Mayor in his dual capacity as a member of City Council and as a member of the memorial committee.

Mr. James R. Olin, 175 27th Street, S. W., suggested that the City honor Dr. King in a way that will call attention to the location that is named in his honor. He spoke in favor of the proposal of Vice-Mayor Carder, which recommendation has been approved by the selection committee, and requested that Council support the north side of Elmwood Park as aboveresolved by Vice-Mayor Carder as a proper and fitting memorial to Dr. King.

Ms. Barbara N. Duerk, 2607 Rosalind Avenue, S. W., expressed appreciation to the memorial committee for its unanimous support of Vice-Mayor Carder’s alternative proposal. She advised that the citizens of the City of Roanoke have been patient; in January 1998, the Southern Christian Leadership Conference (SCLC) requested Council to designate an appropriate memorial in honor of Dr. King, in January 1999, the SCLC requested that Route 460 to Eureka Park be named in Dr. King’s honor, the matter was referred to the City Planning Commission and on November 15, 1999, Council directed the City Manager to appoint an ad hoc committee which began meeting in the fall of 2000. She stated that there were no preconceived opinions on what would be an appropriate location by members of the committee, which consisted of leaders from all four quadrants of the City. She called attention to an extensive campaign to garner public input, multiple ideas were explored including the civic center, the Higher Education Center, the School of Diversity within the Higher Education Center, the plaza at the Higher Education Center, Eureka Park, Victory Stadium (present and future locations), Interstate 581, the main library, the main post office, Lee Plaza, RNDC Plaza, Roanoke Academy for Math and Science, and many others, and on April 3, 2001, the recommendation of the memorial committee was submitted to the City Manager.

Ms. Brenda Hale, 3595 Parkwood Drive, S. W., advised that north Elmwood Park is located in the heart of the City of Roanoke, but most of all, naming the north side of Elmwood Park in honor of Dr. King will provide a profound legacy to the youth of the City of Roanoke who treasure Dr. King's dream. She stated that the Roanoke Valley community is representative of over 70 nations, therefore, the north side of Elmwood Park is a fitting location and an area that all persons can share and appreciate because it is the right place at the right time.

Ms. Dorothy Moore, 1327 Moorman Road, N. W., spoke in support of the recommendation of Vice-Mayor Carder.

Ms. Lee Walker, 1048 Hunt Avenue, N. W., spoke in support of naming the north side of Elmwood Park in honor of Dr. King for the enjoyment of all persons as they live and work together as one people.

Mr. Edward Mitchell, 1570 16th Street, N. W., advised that the memorial committee was requested by Council and the City Manager to recommend a fitting and appropriate location to honor Dr. King; the committee solicited data from schools, colleges, and persons from outside the community and the committee compiled all of the data into various categories. He stated that the goal of the committee was not to place the memorial in a black community or a white community, but at a location where people will come together in one common place; and the memorial committee agreed that Elmwood Park provided the ideal location. He advised that the memorial committee supports the alternative proposal, and requested that Council designate the north side of Elmwood Park as a fitting location to honor the memory of Dr. King.

Mr. Troy Eichelberger, 1621 Downing Street, N. W., advised that Dr. King represented freedom; those persons that the City honors reflect who we are as a City, and that which is honored for the honoree reflects the City's respect for that individual. He stated that Dr. King's name is written in eternity, but let the City of Roanoke write his name the best way it can in time. He advised that if this is the best the City of Roanoke can do, then let it be; however, the City can do better because Dr. King was bigger and greater than the north side of Elmwood Park.

Ms. Helen E. Davis, 35 Patton Avenue, N. E., advised that without rules, anything can happen. She inquired as to why Council is voting on this ill conceived proposal which originated with another Member of City Council and is now brought forth by Vice-Mayor Carder. She advised that it would be wonderful if the City of Roanoke would honor Dr. King by establishing a proper and fitting memorial because his life and legacy will be known by generations yet to be born. She stated that Dr.

King is recognized throughout the world as a symbol of freedom, peace, and non-violence, and this ill conceived compromise of unevenly dividing Elmwood Park is an insult to both Dr. King's memory and to the City of Roanoke, and could be seen as a way to divide people which is the very concept that Dr. King worked so diligently to erase. She urged that Council not accept the alternative proposal because it appears that Council is unable to make a decision regarding a proper memorial to Dr. King. She suggested that the voters of the City of Roanoke be allowed to decide the issue based on the following locations: (1) Roanoke Civic Center, (2) Roanoke Higher Education Center, and (3) the new stadium/amphitheater to be constructed.

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., referred to the untold number of hours devoted by the Dr. Martin Luther King, Jr. Memorial Selection Committee in reaching its recommendation. She inquired about the status of the original unanimous recommendation of the memorial committee that Elmwood Park, in its entirety, be named in honor of Dr. King; she inquired as to why the City Manager did not send the original recommendation of the memorial committee to City Council; what happened to the opportunist, who based on the proposal that Bullitt Avenue be extended to Williamson Road, suggested a win-win compromise; and what happened that a win-win concept would permit the library, the amphitheater and the majority of park land on the south side to retain the name of Elmwood Park, while the majority of park land on the north side would be named in honor of Dr. King, which would consist only of a rectangular park containing lily ponds and a plaza, bordered by two tall buildings. She asked what happened to the attempt to overthrow the authority given to the committee and why do Roanoke City officials continue to compromise where the black community is always given the shortest end of the stick.

Ms. Perneller C. Wilson, 3045 Willow Road, N. W., advised that Dr. King wanted to be remembered as a drum major for righteousness, a drum major for peace, and a drum major for justice. She stated that Roanoke's indecisiveness has been going on for approximately three years, City leaders should be trying to solve the racial problems in the City of Roanoke, and she will not continue to stand by and see Dr. King's name drug through the mud in this City any longer.

Mr. Hudson advised that he has always been a strong supporter of Dr. King; however, the north side of Elmwood Park does not provide a fitting memorial to Dr. King's memory. He stated that the City of Roanoke can do better, and for that reason, he will not support the resolution. He expressed appreciation to the memorial committee for its work.

Mr. White also thanked the members of the memorial committee. He stated that he has been consistent in his opinion that the north side of Elmwood Park is not the

proper location to recognize Dr. King's memory, and many citizens have also expressed their concern that it is an inappropriate location. Therefore, he advised that he could not support the resolution.

Vice-Mayor Carder advised that since he was a member of the Memorial Selection Committee, it was his responsibility to bring forth the alternative recommendation. He called attention to resolutions adopted by Downtown Roanoke, Inc., and the History Museum in support of the recommendation due primarily to economic development issues. He stated that numerous suggestions were considered by the committee and the committee, which is composed of representatives from the entire community, was unanimous that the memorial should be located at a site in the center city. He expressed frustration in that the process will not end after today, someone will suggest a site or a location, a committee will be appointed, the process will repeat itself with protests throughout the community, and it will be impossible to reach unanimity in either the black community or the white community. He explained that Council must make the decision, and sometimes difficult decisions must be made which is the goal of governing. He advised that it is unfair to say that the proposed location is not a fitting memorial to Dr. King because the type of memorial has not been determined. He quoted Dr. King as saying, "The time is always right to do what is right."

Ms. Wyatt expressed appreciation to committee members for their time, effort and dedication to the project. She stated that the committee initially made a recommendation to name all of Elmwood Park in honor of Dr. King, and whether she agreed or disagreed with the recommendation, that was the committee's best effort and heartfelt decision; however, when there was disagreement in the community, the committee compromised. She expressed concern that the committee compromised because Dr. King was a man of principle and honor, and would not compromise that which he believed in. She advised that until the community is ready to honor Dr. King in the way in which he should be remembered, it is less than honorable to do anything, and the honorable thing at this point is to do nothing. She added that the City of Roanoke should take its divisiveness as a wake up call that it has a long way to go when it comes to race relations and Council should take the lead to address the matter.

The Mayor advised that the City has come a long way. He stated that the alternative proposal is a compromise, which is what serving on City Council is about - not compromising principles, but compromising for the good of the mass. He stated that he supports the alternative proposal presented by Vice-Mayor Carder.

There being no further discussion, the resolution was lost by the following vote:

AYES: Council Members Carder, Bestpitch and Mayor Smith-----3.

NAYS: Council Members Wyatt, Hudson, Harris and White-----4.

(At this point, Council Member White left the meeting.)

SCHOOLS: Sandra Burks, Director of Magnet Programs, Roanoke City Public Schools, presented a briefing on the International Baccalaureate Programme (IB). She advised that Roanoke City Schools is the only school district in the Commonwealth of Virginia, and one of a few in the nation, to explore a K-12 IB option, which includes a Primary Years Programme serving grades K-5, Middle Years Programme serving grades 6 -10, and a diploma program for students in Grades 11 and 12. She further advised that currently, the school district offers an IB diploma program at William Fleming High School and a Middle Years Programme housed at William Ruffner Middle School and William Fleming High School; the school district has applied for a second Middle Years Programme at James Breckinridge Middle School and will apply in June for authorization of a Primary Years Programme at Highland Park Learning Center; and with the addition of these two schools, more than 2,200 students in Roanoke City will participate in an International Baccalaureate Programme this year.

Details of the International Baccalaureate Programme are as follows:

William Fleming High School offers the IB diploma, which is a prestigious college–prep program that is recognized by colleges and universities around the world; it was created by a non-profit educational foundation based in Geneva, Switzerland, and is available only at schools that have met the stringent academic requirements of the IB organization; and it is currently available in 1,182 schools in 101 countries.

Initially funded through a Federal Magnet Schools Grant, the program began during the 1994-95 school year when William Fleming High School became an authorized IB site. Fleming is one of only three high schools in Virginia to have the distinction of offering the IB diploma.

International Baccalaureate is different from other college-prep programs in that it offers a rigorous, comprehensive study exceeding the Virginia Standards of Learning, coupled with challenging, external assessments. Courses include mathematics, sciences, social studies, languages, technology and the arts. To earn the diploma, students must take a minimum of six end-of-course examinations in a variety of

course work and earn a minimum of 24 cumulative points on a 1 - 7 point scale. In addition, students participate in the Theory of Knowledge course called by many the “cement” of the IB program. Theory of Knowledge examines the philosophical differences among various systems of knowledge crossing all content areas. Students are also required to submit an extended essay of some 4,000 words and perform a minimum of 150 hours of community service.

Students may also choose to seek an IB certificate in a specific course. The certificate is earned by participating in a specific IB course and successfully passing the IB end of course exam. Many students choose to participate in more than one IB course.

End-of-course exams by students at the end of their junior or senior year are rated by over 3,400 IB examiners worldwide using an international standard of excellence. Students who meet the scoring criteria on the exams are awarded the IB diploma or certificates. Both are recognized by colleges and universities worldwide, and diploma graduates can be awarded sophomore standing in their first year of college. Additionally, students have better opportunities for scholarships and easier college admission.

In the spring of 1997, Roanoke City Public Schools’ first IB graduating class included one full IB diploma graduate and 19 students who received IB certificates. The program is growing and currently, 286 students are taking IB classes in grades 6 - 12 and this spring six full diploma graduates and 27 certificate students are anticipated.

The program also involves extensive teacher training in subject areas. Since 1996, more than 161 Fleming-Ruffner and Breckinridge teachers have participated in IB training, including more than 100 who have attended workshops throughout the United States, as well as in Canada and Puerto Rico. Subject area training is required because of the depth of content delivered through the IB courses.

William Fleming recently completed the International Baccalaureate Five Year Program Review and thus continues its status as a fully authorized International Baccalaureate Organization school.

In 1998, William Ruffner Middle School became one of the first ten schools in the country authorized to offer the IB Middle Years Programme. The program offers a philosophical framework for teaching

various subjects in grades 6 - 10. The framework is organized around three fundamental concepts: intercultural awareness, communication and a holistic view of knowledge. The Middle Years Programme is currently available at 47 authorized sites throughout the nation. Henrico has the only other authorized Middle Years Programme in the state.

In 1999, Roanoke City Public Schools received funding to apply for a Middle Years Programme at James Breckinridge Middle School. The district was awarded approximately \$1 million in a three-year “Innovative Programs” grant from the U. S. Department of Education. The grant is intended to improve student achievement at Breckinridge by establishing an IB Middle Years Programme and an after-school tutoring program. Breckinridge is concluding the third and final year of the grant. Unlike the magnet center, Breckinridge serves only students living in its attendance zone; however, with the addition of Breckinridge, both main feeder schools for Fleming will offer excellent academic preparation for successful completion of high school.

Highland Park Learning Center, an elementary magnet school in old southwest, is also in the process of applying for authorization to offer an IB Programme. In September, 1997, the IB organization extended its inquiry-based framework to youngsters ages 3 to 12 with its new Primary Years Programme.

The program provides an international approach to learning based on best research and teaching practices in use at schools around the world. Using an interdisciplinary approach that combines primarily the subject areas of language arts and social studies, the Primary Years Programme is organized around six essential questions: Who are we? Where are we in place and time? How do we express ourselves? How does the world work? How do we organize ourselves and how should we share our planet? The staff at Highland Park has developed units that revolve around these questions using the elementary curriculum based on the Standards of Learning.

Currently, there are 13 authorized Primary Years Programmes in the United States; however, dozens of schools throughout the nation have already expressed interest in the program and are pursuing authorization. Highland Park is completing its second-year of implementation. Schools are required to implement the program for two years prior to authorization. To date, all staff members have either traveled to an International Baccalaureate workshop or participated in on-site training. Authorization is contingent upon the district’s meeting the IB foreign language requirement. Additional resources are difficult to fund given current budget constraints; however, the district continues to explore ways to deliver foreign language to Highland Park

in 2002-2003 so that the school may be authorized as an International Baccalaureate Primary Years Programme.

The IB program affords unlimited opportunity for the students of Roanoke City to compete and succeed on equal footing with students from around the world. Students participating at the middle school and high school levels presented remarks in regard to the merits of the IB Programme.

Students participating at the middle school and high school levels presented remarks in regard to the merits of the IB Programme.

Without objections by Council, the Mayor advised that the briefing would be received and filed.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS:

LIBRARIES-OUTDOOR DINING: The City Manager introduced a briefing on outdoor dining to be presented by Sally Sappenfield, Economic Development Specialist.

Ms. Sappenfield advised that based on requests from area restaurants and the success of other cities regarding outdoor dining, research was conducted with the goal of implementing a program for restaurant owners to use the public right-of-way in designated areas of the City of Roanoke. She stated that the core of Roanoke offers a dynamic mix of office, commercial, retail, hotel, convention and entertainment uses, and outdoor dining is seen as a cultural asset to residents and visitors, and a potential to increase business for restaurants; therefore, retaining and expanding businesses creates a vibrant downtown atmosphere. During the research phase of the program, she advised that meetings were held with representatives of Downtown Roanoke, Inc., restaurant owners and City staff to determine the needs and other potential locations in Roanoke, other cities were researched, such as Charlottesville, Norfolk, and Richmond regarding code provisions, outdoor dining applications, and implementation. She noted that such issues as ADA compliance, provision of adequate sidewalk space, Alcoholic Beverage Control Board requirements, Department of Health requirements, policing policies, fire marshal approval of all engineering drawings to date, refuse collection issues, street cleaning and timing, and traffic and safety issues for pedestrians and restaurant patrons, were addressed. Ms. Sappenfield explained that Section 30-9.1 of the City Code will require amendment in order to provide for outdoor dining, along with development

of an outdoor dining permit application. She added that outdoor dining is proposed in all commercial districts in the City of Roanoke on designated sidewalks and streets, with exceptions in the City Market area inasmuch as the farmer's market occupies the area from 5:00 a.m. to 6:30 p.m., Monday - Saturday. She advised that the permit application requires that the restaurant owner submit a description and drawings of furniture, etc., to be used in connection with the outdoor dining area for the City Manager's approval; and the application fee is \$75.00 plus a square foot rate (first year \$6.50, second year \$7.00 and third year \$8.00 and for every year thereafter which averages approximately \$.67 per square foot per month) on a first come, first served basis. She added that outdoor dining will be allowed from 7:00 a.m. to 3:00 a.m. on the following morning, restaurants will be required to abide by all rules and regulations regarding zoning, Board of Health, Alcoholic Beverage Control Board laws, etc., they will be required to keep the area clean, and to provide a \$1 million insurance policy on the outdoor dining location which would be a rider on the current insurance policy. She stated that the goal of outdoor dining is to increase options for diners, to improve the overall vitality of the City, to be revenue neutral, to retain and expand businesses, and to provide an increase in the meals tax. She advised that on March 12, 2002, Downtown Roanoke, Inc., voted to support the proposed ordinance amendment to allow outdoor dining and some businesses in the City Market area have already indicated a willingness to participate in the program.

Logan Forsythe, representing the Board of Directors, Downtown Roanoke, Inc., spoke in support of outdoor dining in the core area of downtown in the business district surrounding the City Market area. He advised that outdoor dining will be a significant enhancement to downtown opportunities, which translates into higher meals tax revenues, and an enhancement to the overall flavor of the City Market area.

In addition to the City Market area, Vice-Mayor Carder advised that outdoor dining will apply to other commercial neighborhood districts throughout the City. He inquired about the Century Plaza area; whereupon, the City Manager advised that it is tentatively scheduled to present an amendment to the ordinance that would allow outdoor vendors in select locations, and initially at the Century Plaza location, for consideration by Council at its meeting on Monday, April 1, 2002.

The Mayor stressed the need to work with merchants currently operating in the City Market area. He stated that the City Market has served as an anchor for the downtown area for many years and the City should do everything it can to protect the farmer's market.

Mr. Bestpitch suggested that a restaurateur be encouraged to develop a restaurant on property along the Roanoke River for outdoor dining purposes. He advised that the Roanoke River is a resource that has not been utilized to its fullest.

Mr. Harris advised that he has received numerous telephone calls from farmers doing business on the City Market who have expressed issues of concern and requested that City staff meet with the farmers to address their questions/concerns. He inquired if customers will be required to order food along with drinks, or if the option will be available to order drinks only; and suggested that other Virginia localities be surveyed.

Ms. Wyatt spoke in support of the concept of outdoor dining; however, she advised that she would like the assurance that citizens engaging in outdoor dining will feel comfortable in the outside dining environment and that safeguards will be enacted to protect the rights of people to enjoy their meal in peace and quiet.

The City Manager introduced Wlodek Zaryczny, Director of Libraries, who presented a proposal regarding inside and outside dining at the Main Library, which is viewed as an extension of the concept to make downtown Roanoke a more vibrant area and to increase the constituency that is supportive of what is happening at the Main Library.

Mr. Zaryczny advised that for the City of Roanoke to be successful in the new century, it must look for new opportunities to do business, to see old places in a new way and to recognize and to celebrate Roanoke's urban uniqueness. He advised that the shared vision of the Roanoke Public Library is to insure that every citizen is satisfied with library services and to contribute to the economic development of the City of Roanoke and the Roanoke Valley.

He reviewed programs conducted by the library, i.e.: Poetry Slam, computer lab, Dr. Seuss Celebration 2002, Author and Artist Series, Library Book Festival, participation in area parades and Festival in the Park, just to name a few. He advised that the library has received publicity through a library show on RVTv, The Roanoke Times, and on air opportunities via radio and television. He stated that some organizations using the services of the library are Library Volunteers, Raleigh Court Garden Club, Historic Gainsboro Committee, Local Colors, NAACP Committee, Virginia Cooperative Association, and Southwest Genealogical Association; and support services include the Roanoke Public Library Board which is appointed by City Council, the Roanoke Public Library Foundation, and Friends of the Library, and called attention to an upcoming retreat by the Library Board and the Library Foundation to review operations.

The City Librarian presented information with regard to two separate projects, both of which fall under the category of eateries: i.e.: a library café and a patio restaurant. He advised that libraries throughout the country are opening cafés which have been successful and colorful, with remodeling costs, traffic, advertising, etc., to be funded by the vendor. He stated that Roanoke's library café could be located on the Bullitt Avenue side of the library (north side) which would serve as an indoor/outdoor café, with an awning that would extend from the top of the building to the street, containing an entrance from the inside of the building as well. He explained that computers will be provided inside of the café and the City of Roanoke will be a trend setter becoming the first library in the country to have computers installed inside its café. He advised that a used book shop is also proposed, along with a museum-type gift shop to be operated by Friends of the Library.

Secondly, he presented a drawing of the proposed patio restaurant, the benefits of which will be increased customer satisfaction, increased library usage, increased library constituency, provide a connection with the City Market area, provide a tourist attraction and destination point, complement other outdoor dining efforts, and position the City of Roanoke as a trend setter. He stated that the Bullitt Avenue café is projected to cost approximately \$70,000.00 and the patio restaurant is projected to cost \$145,000.00; and a request for proposals/specifications will be issued to provide that selected vendors will be responsible for assuming all remodeling costs.

Ms. Wyatt inquired about the status of the iMAC computers which were installed in the libraries; whereupon, Mr. Zaryczny advised that previously no support service was available; however, the Library's automation coordinator is currently involved in a project to place the iMac computers on line in the branch libraries. Ms. Wyatt called attention to an individual who has offered to work free of charge on the iMAC computers; whereupon, Mr. Zaryczny advised that he would contact the individual.

Mr. Harris inquired about the status of complimentary parking for library patrons which was available on the upper level of the parking lot across the street from the Main Library; whereupon, Mr. Zaryczny advised that the parking arrangement costs between \$5,000.00 and \$6,000.00 per year; therefore, in lieu of cutting library staff, it may be necessary to discontinue the parking arrangement, with Allright Parking.

There being no further questions or comments, and without objection by Council, the Mayor advised that the briefings would be received and filed.

RESIDENTIAL PARKING: The City Manager introduced a briefing with regard to providing special parking arrangements for those individuals residing in the downtown area; whereupon, she called upon Robert K. Bengtson, Director of Public Works, to present details of the program.

Mr. Bengtson advised that in 1998, representatives of Downtown Roanoke, Inc., and City of Roanoke staff met with downtown housing developers regarding the need for downtown residential parking, and developers identified parking as being critical to the success of downtown living. He further advised that this led to a strategy where downtown residents would be allowed to park free of charge in City-owned parking garages which was approved by City Council on July 1, 1998, for a period of three years; at the end of the three-year period, a total of 18 residents took advantage of these parking provisions, and since that time, City staff and representatives of Downtown Roanoke, Inc. have evaluated parking strategy in conjunction with other measures to further improve downtown parking. He stated that on October 18, 2001, Council adopted a measure that provided certain Roanoke neighborhoods with a process to create on street parking for residents only, pursuant to conditions that meet certain criteria through purchase of a residential parking permit for the street; and, to date, no groups or organizations in a neighborhood have made application under the process.

Mr. Bengtson noted that City staff has now developed a parking plan for downtown residents which received input from residents, business owners and representatives of Downtown Roanoke, Inc. He called attention to the need to provide parking benefits that would serve as an incentive for moving to and remaining in downtown Roanoke, and developers of downtown housing continue to seek assurance that more opportunities for residents to park downtown will be available which helps to secure financing for residential projects. He explained that residents have identified four issues that are important to any decision to move downtown: (1) the need to increase the availability of parking or loading zones, especially between the hours of 6:00 a.m. and 6:00 p.m., (2) unrestricted parking in timed parking spaces for nights and weekends, (3) continuation of free parking in City-owned parking garages, and (4) an enhanced feeling of security along the walking paths between residences, parking areas and parking garages. In response to these issues, he advised that City staff has recommended that permit parking be established in strategic locations for the use of residents purchasing a permit, while existing timed parking would remain in effect at these locations for use by vehicles without a permit. He noted that the permitted vehicle would have the convenience of two hour parking in any permit parking zone, Monday through Friday, 6:00 a.m. to 6:00 p.m., and would further allow a downtown resident to park from 4:00 p.m. to 8:00 a.m. the following morning without having to move their vehicle. He advised that

City staff recommends re-establishing the previous free parking program for residents in the downtown parking garages which provides residents with the option of 24 hour uninterrupted parking when the convenience of on street parking is not necessary; and there will also be a need to continue to provide appropriate safety measures in the parking garages and along the walking paths to and from residences.

Mr. Bengtson advised that City staff recommends a \$5.00 fee per residential unit, with a limit of one permit per licensed resident. He stated that as Roanoke strives for a 24 hour downtown, thereby creating more critical mass for the betterment of all downtown residents, businesses and tourist destinations, there is a recognition that the number of downtown residents, currently numbering approximately 50, needs to grow and while it is desirable that downtown businesses and residents co-exist, there is clearly a need to assist the downtown housing effort by providing more convenient residential parking if the projection of 300 downtown residential units is to be attained at some point in the future. To do so, he advised that the City can proceed with either a broader parking plan for near term development of these additional housing units, or, based on a plan that addresses only current residents, revise the plan as additional units develop, and City staff is prepared to implement either approach based on the wishes of Council. He stated that a recommendation will be presented to Council at its meeting on Monday, April 1, 2002.

Vice-Mayor Carder and Council Member Harris suggested that the program be implemented as broadly and as inclusively as possible and not be tied to current downtown Roanoke residents.

There being no further questions or comments, without objection by Council, the Mayor advised that the briefing would be received and filed.

ITEMS RECOMMENDED FOR ACTION:

TOWER PARKING GARAGE-FIRST UNION NATIONAL BANK: The City Manager submitted a communication advising that the City of Roanoke and First Union National Bank entered into a Parking Agreement in October 1998 for provision of 200 parking permits in the Tower Parking Garage for its full time employees who work in the City's Enterprise Zone One; the Agreement was renewed in 1999 and 2000, with an expiration date of December 15, 2001, and did not provide for any further extensions; First Union National Bank has requested that the City consider a new parking agreement for the provision of 175-200 parking permits, effective retroactively from December 16, 2001 until December 15, 2002, in order to help

maintain employees within the City's Enterprise Zone One; and the agreement shall allow for up to two one year extensions, upon mutual agreement of the City and First Union National Bank.

It was further advised that the Parking Agreement will allow the bank to purchase 175 parking permits for the Tower Garage, or such other City owned/controlled parking facility which may be mutually agreed upon by the City and First Union National Bank, at a monthly rate of \$45.00 per parking permit per month and for the purchase of up to 25 additional permits in City owned or controlled parking facilities, as determined by the City should the permits be needed; the \$45.00 per permit rate is an increase over the \$40.00 rate contained in the previous parking agreement and provides a contributing factor for FUNB to maintain 175-200 qualifying positions within the City's Enterprise Zone One; annual reporting is required in order to assure that First Union National Bank maintains its employment commitments; and failure to meet these commitments would require the repayment of the difference between the contracted rate and the published monthly parking rate for the garage for which the permits were issued as more fully set out in the draft Parking Agreement.

The City Manager recommended that she be authorized to enter into a one year Parking Agreement with up to two one year renewals, effective retroactively from December 16, 2001, with First Union National Bank for the provision of 175-200 parking permits, in order to help in efforts to retain full time First Union National Bank employees in Enterprise Zone One in downtown Roanoke, and that the City Manager be further authorized to take such action and to execute such documents as may be reasonably necessary to provide for implementation and administration of the Parking Agreement, including the authority to renew said agreement for up to two renewal periods.

Mr. Bestpitch offered the following resolution:

(#35768-031802) A RESOLUTION authorizing the City Manager to execute a new Parking Agreement between the City and First Union National Bank (FUNB) to become effective retroactively to December 16, 2001; and authorizing the City Manager to renew the Parking Agreement for up to two additional one year periods.

(For full text of Resolution, see Resolution Book No. 65, page 460.)

Mr. Bestpitch moved the adoption of Resolution No. 35768-031802. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was absent.)

BUDGET-ROANOKE CIVIC CENTER-CAPITAL IMPROVEMENTS PROGRAM:

The City Manager submitted a communication advising that several equipment purchases and projects are needed at the Roanoke Civic Center in order for the Civic Center to provide expected levels of service, to meet new security standards, to provide appropriate maintenance, and to provide necessary equipment storage; therefore, it is necessary to appropriate funds from Prior Year Retained Earnings to provide for acquisition of the following items:

| | |
|---|---------------------|
| Storage Building to provide for storage of Coliseum Equipment | \$ 90,000.00 |
| Dasher Boards for Arena Football2 | 13,500.00 |
| Exit Devices to provide locks on Coliseum Interior Doors | 17,210.00 |
| Stage Barricade for concerts | 15,000.00 |
| 3 Xenon follow spotlights for Coliseum | 35,000.00 |
| 2 Concession Carts | 3,600.00 |
| 500 folding chairs with dollies | 29,209.00 |
| Sweeper/scrubber | 8,868.00 |
| Carpet Extractor | 1,617.00 |
| Walk Behind Scrubber | 3,783.00 |
| Coin Machine & 2 Credit Card Machines | 3,000.00 |
| Defibrillator | 3,000.00 |
| Kitchen Equipment | 11,213.00 |
| Total | <u>\$235,000.00</u> |

It was further advised that items or projects to be acquired either have already been bid or will be bid in accordance with the procurement section of the Code of the City of Roanoke; whereupon, the City Manager recommended that Council appropriate \$235,000.00 from Prior Year Retained Earnings accounts, as follows:

\$ 220,000.00 to Civic Center Account No. 005-550-2108-9015

\$ 15,000.00 to Civic Center Account No. 005-550-2105-2035

Mr. Bestpitch offered the following emergency budget ordinance:

(#35769-031802) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Civic Center Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 461.)

Mr. Bestpitch moved the adoption of Ordinance No. 35769-031802. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was absent.)

BUDGET-WILLIAMSON ROAD PARKING GARAGE- GRANTS: The City Manager submitted a communication advising that original construction of the Williamson Road Parking Garage was partially funded with Community Development Block Grant (CDBG) funds; and in recognition of this use of Federal funds, an annual payment is made back to the City's Grant Fund based upon a percentage of the net income which is generated by the garage, which payment is program income to the Grant Fund.

It was further advised that fiscal year 2002 expense budget for the garage allocated \$107,341.00 to meet the payment requirement; annual calculation is based upon income from the garage generated in fiscal year 2001; based upon actual income generated in fiscal year 2001, the payment due is \$130,998.00; and in order to make the required payment, \$23,657.00 must be appropriated from Transportation Fund Retained Earnings to supplement the \$107,341.00 budgeted.

The City Manager recommended that Council approve appropriation of \$23,657.00 from retained earnings of the Transportation Fund, to fund the full CDBG payment due for fiscal year 2002 for the Williamson Road Parking Garage.

Mr. Harris offered the following emergency budget ordinance:

(#35770-031802) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Transportation Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 462.)

Mr. Harris moved the adoption of Ordinance No. 35770-031802. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was absent.)

BUDGET-WESTERN VA FOUNDATION FOR THE ARTS AND SCIENCES-TEA-21-ROANOKE PASSENGER STATION RENOVATION PROJECT: The City Manager submitted a communication advising that the Western Virginia Foundation for the Arts and Sciences (WVFAS) received notification in 2001 that its application for Transportation Enhancement funds through the Transportation Equity Act for the 21st Century (TEA-21) for the Roanoke Passenger Station Renovation Project was approved in the amount of \$488,000.00; the City of Roanoke subsequently entered into separate agreements with the WVFAS and the Virginia Department of Transportation (VDOT), which define responsibilities of each party, as previously authorized by Council; the Western Virginia Foundation for the Arts and Sciences would be responsible for the match requirement of \$122,000.00; and the \$488,000.00 of TEA-21 Enhancement funds need to be appropriated (to be reimbursed by VDOT) to project account # 008-530-9900-9007 for disbursement to the WVFAS.

The City Manager recommended that Council appropriate \$488,000.00 of TEA-21 Enhancement funds (to be reimbursed by VDOT) to project account # 008-530-9900-9007 for disbursement to the Western Virginia Foundation for the Arts and Sciences and establish a revenue estimate in the same amount for State reimbursement through the TEA-21 program.

Mr. Hudson offered the following emergency budget ordinance:

(#35771-031802) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 463.)

Mr. Hudson moved the adoption of Ordinance No. 35771-031802. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was absent.)

BUDGET-BRIDGES: The City Manager submitted a communication advising that annual bridge inspection reports identified Memorial Bridge, Structure No. 1826, as being in need of major repair; and design of the necessary rehabilitation has been completed and the project has been bid, with MBC Construction, Inc., submitting the low bid, in the amount of \$1,147,789.75, for a construction time of 270 consecutive calendar days.

It was further advised that funding in the amount of \$1,272,568.00 is needed for the project; additional funds that exceed the contract amount will be used for miscellaneous project expenses, including advertising, printing, test services, minor variations in bid quantities, unforeseen project expenses and an estimated \$10,000.00 for Norfolk Southern Railway flagging services; and funding is available as follows:

| | |
|---|------------------------------|
| Public Improvement Bonds – Series 1999 | \$ 888,931.00 |
| Account No. 008-052-9709-9190 | |
| Hunter Viaduct | 279,813.00 |
| Account No. 008-052-9636-9003 | |
| Broadway Street Bridge | 35,441.00 |
| Account No. 008-052-9683-9001 | |
| Memorial Bridge Rehabilitation | 68,383.00 |
| Account No. 008-530-9772-9003 | |
| Total | <u>\$1,272,568.00</u> |

The City Manager recommended that Council accept the bid of MBC Construction, Inc., in the amount of \$1,147,789.75, with 270 consecutive calendar days of contract time; that all other bids received by the City be rejected; and transfer funds in the amount of \$1,204,185.00 to Capital Projects Fund Account No. 008-530-9772, Memorial Bridge Rehabilitation.

Mr. Carder offered the following emergency budget ordinance:

(#35772-031802) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 464.)

Mr. Carder moved the adoption of Ordinance No. 35772-031802. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was absent.)

Mr. Bestpitch offered the following emergency ordinance:

(#35773-031802) AN ORDINANCE accepting the bid of MBC Construction, Inc., for the rehabilitation of Memorial Bridge, Structure Number 1826, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 466.)

Mr. Bestpitch moved the adoption of Ordinance No. 35773-031802. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.

(Council Member White was absent.)

STREET LIGHTS-BUDGET-AMERICAN ELECTRIC POWER-RNDC: The City Manager submitted a communication in connection with infrastructure improvements to the Greater Gainsboro Redevelopment area, Phase II.

The City Manager referred to a communication from Charles A. Price, Jr., Chair, Roanoke Neighborhood Development Corporation (RNDC), advising that RNDC has not had an opportunity to review or provide input regarding those items contained in the City Manager's communication prior to completion of the bid documents; therefore, RNDC requests that action by Council on the City Manager's communication be deferred.

The City Manager advised that City staff met with representatives of the Roanoke Neighborhood Development Corporation on August 16, 2001, and discussed a plan to move forward on Phase II improvements, leaving a balance for Phase III that would address those improvements immediately around the RNDC project, and City staff was of the understanding that RNDC was in agreement since no feedback was received on bid specifications. She advised that since there is an interest on the part of RNDC to review the matter one more time, it is requested that Council defer action on the communication until the Council meeting to be held on Monday, April 1, 2002.

The Mayor advised that without objection by Council, action on the matter would be deferred until the regular meeting of Council on Monday, April 1, 2002, at 2:00 p.m.

FEE COMPENDIUM-EMERGENCY MEDICAL SERVICES: The City Manager submitted a communication advising that in July 1989, the City of Roanoke implemented an EMS User Fee in an effort to offset the rising cost of providing emergency medical services in the City of Roanoke; in July 1993, Council approved an EMS fee schedule adjustment to cover additional staffing costs associated with providing services; and staffing increases were necessary due to a reduction in volunteer resources and an increase in service demand.

It was further advised that the City of Roanoke establishes its EMS fee schedule based primarily on the region's Medicare allowances; current EMS fees are \$145.00 for basic life support (BLS) transports and \$290.00 for advanced life support (ALS) transports with a two-tier fee structure, with mileage charged separately at \$9.00 per loaded mile; effective April 1, 2002, Medicare will increase its reimbursement for EMS transport; after a two-year process, Medicare has approved a nationwide fee schedule that all EMS providers must accept if they wish to maximize Medicare reimbursement, which fee schedule and structure is based on a patient's needs, condition and treatment requirements; and the five-tier fee structure required by Medicare allows the fee to more accurately reflect actual services rendered.

It was explained that the City of Roanoke needs to adopt the new fee schedule in order to maximize Medicare reimbursement; currently, Medicare accounts for 44 per cent of the City's EMS fee revenues; the new fee schedule will allow for a more accurate reflection of services rendered and resources required to care for patients; and Medicare is requiring a five-tier fee structure as follows:

Basic Life Support – Non-Emergency
 Basic Life Support – Emergency
 Advanced Life Support – Non-Emergency
 Advanced Life Support – Emergency
 Advanced Life Support – Level II *

* Medicare is proposing a higher reimbursement rate for ALS Level II because it applies to patients who are critically ill requiring more resources and treatment in such cases as cardiac arrest, multi-system trauma, respiratory arrest, etc.

It was advised that the percentage of EMS fees paid by citizens (out-of-pocket) is projected to remain the same with the new fee structure; currently, citizens pay less than eight per cent of the total annual EMS fees out-of-pocket; and the City's EMS billing contractor will continue to work with citizens to maximize insurance reimbursement and to make fee adjustments, in accordance with Medicare regulations, in order to minimize out-of-pocket expense.

The City Manager recommended that Council concur in the following fee schedule recommended by Quantum Medical, the City's EMS billing contractor, and using the required five-tier structure, which will allow the City to maximize Medicare reimbursement:

| <u>Service Level</u> | <u>Current Medicare Allowance</u> | <u>Current EMS Fees</u> | <u>New Medicare Allowance</u> | <u>Propose d EMS Fee</u> |
|-------------------------------------|---|---------------------------------|---------------------------------------|----------------------------------|
| Basic Life Support Non-Emergency | NA | \$145.00 | \$170.54 | \$175.00 |
| Basic Life Support Emergency | \$114.00 | \$145.00 | \$272.86 | \$280.00 |
| Advanced Life Support | NA | \$290.00 | \$204.65 | \$210.00 |

Non-Emergency

| | | | | |
|--|-----------------|-----------------|-----------------|-----------------|
| Advanced Life Support Emergency | \$290.00 | \$290.00 | \$324.03 | \$330.00 |
|--|-----------------|-----------------|-----------------|-----------------|

| | | | | |
|--------------------------------------|-----------|-----------------|-----------------|-----------------|
| Advanced Life Support Level 2 | NA | \$290.00 | \$468.99 | \$475.00 |
|--------------------------------------|-----------|-----------------|-----------------|-----------------|

It was explained that the percentage of EMS fees paid by citizens (out-of-pocket) is projected to remain the same with the new fee structure, which is less than eight per cent of total annual fees collected; the new fee schedule, if approved, will become effective April 1; it is estimated that the City could realize a revenue increase of \$165,000.00 during the first year fiscal year (2002-03) and a graduated increase to \$655,000.00 in EMS fee revenue as the new Medicare allowance matures in fiscal year 2006-07; and the additional revenue could be used to fund debt service on the construction cost of new Fire-EMS stations as proposed in the Council adopted Fire-EMS Strategic Business Plan.

Mr. Carder offered the following resolution:

(#35774-031802) A RESOLUTION establishing certain fees for the provision of certain emergency medical services; and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 65, page 467.)

Mr. Carder moved the adoption of Resolution No. 35774-031802. The motion was seconded by Mr. Bestpitch.

Mr. Hudson inquired as to how the new rates will impact those persons who cannot afford to pay for the service; whereupon, the City Manager advised that under current rates, 44 per cent of all bills received by the City come from Medicare, another 43 per cent come from other insurance providers, therefore, only eight per cent of the bills can be attributed to out-of-pocket expenses by citizens. She explained that the new system proposed by the Federal Government provides for five levels of service versus two, which will provide more latitude in the billing for actual service. In summary, she advised that under current expectations and past experience, 92 per cent of all bills received by the City are insurance paid and not out-of-pocket expenses from the citizen.

Mr. Hudson expressed concern for the eight per cent who may not be able to pay for the service; whereupon, the City Manager responded that the City does not collect on all bills and there are a number of fees that are written off on an annual basis as uncollectible, which generally occur in those situations where the individual

does not have health insurance or the financial ability to make payment. She stated that the City is trying to take advantage of a Federal change that increases the rates.

Mr. Hudson inquired as to the percentage that is written off by the City when the client cannot afford to pay.

Ms. Wyatt advised that in reviewing the Medicare allowance and the proposed fee, there is a difference in the range of \$4.00- \$8.00 which will be billed to the client, and inquired as to the cost effectiveness when considering staff time, etc. The City Manager responded that under the current Medicare allowance, there is a \$31.00 difference for basic life support and although the new Medicare allowances are more realistic in acknowledging the true cost to deliver the service, there is more work to be done.

Ms. Wyatt advised that in view of staff time etc., the client billing of \$4.00 - \$8.00 fees will not be cost effective, and she would support the new Medicare allowances only.

There being no further discussion, Resolution No. 35774-031802 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Hudson, Harris and Mayor Smith----
5.

NAYS: Council Member Wyatt-----
1.

(Council Member White was absent.)

HOUSING/AUTHORITY-CONSULTANTS REPORTS-STREETS AND ALLEYS BULLITT/JAMISON PILOT PROJECT: The City Manager submitted a communication advising that on September 17, 2001, Council adopted the "Policy on HUD Funds," one provision of which is the targeting of said funds to create demonstrable and visible impact; the initial targeting activity under the policy was presented to Council at its October 29, 2001, work session and involved a multi-faceted approach to the needs of an area bordered by Bullitt and Jamison Avenues, between 6th and 13th Streets; and known as the "Bullitt-Jamison Pilot Project," approximately \$1.4 million from the City's Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds will form the core project financing, if approved by Council.

It was further advised that needs of the project area extend to many other aspects of community life and dictate a broader conceptual and financial framework; the City's Police, Social Services, Streets and Traffic, Code Enforcement, Parks and Recreation, Neighborhood Partnership and other departments are increasing activities in the area; however, physical development of the area requires a more in-depth assessment of needs and feasibility and creation of a master plan to guide improvements; and given these needs, the City solicited proposals from firms with such capabilities and has negotiated the terms of an agreement with the top candidate, at a cost of approximately \$60,000.00 which is within the City Manager's authority for executing the necessary agreement.

It was explained that it is important to begin consultant activities as soon as possible, with CDBG funds providing the necessary funding source; however, to use CDBG funds at this time requires an amendment of the City's current Consolidated Plan Annual Update, a process that involves a 30-day public review and comment period; the public review and comment period was initiated on February 14, 2002, and concluded on March 15, 2002; with no objections to the plan amendment having been received; upon Council's approval of the plan amendment, the consultant agreement may be executed, which agreement allows the City the option to negotiate further services with the consultant regarding leveraging additional financing for the project; and a future report to Council may be required to authorize any amendment to the consultant agreement with a cost greater than the City Manager's authority to execute directly.

The City Manager recommended that she be authorized to amend the 2001-2002 Consolidated Plan Annual Update, including submission of the necessary documents to HUD, to add consultant services associated with the Bullitt-Jamison Pilot Project.

Mr. Carder offered the following resolution:

(#35775-031802) A RESOLUTION amending the City of Roanoke's 2001-2002 Consolidated Plan Annual Update regarding Consultant Services for the Bullitt-Jamison Pilot Project, and authorizing the City Manager to execute and submit the necessary documents to the United States Department of Housing and Urban Development (HUD).

(For full text of Resolution, see Resolution Book No. 65, page 468.)

Mr. Carder moved the adoption of Resolution No. 35775-031802. The motion was seconded by Mr. Harris.

Vice-Mayor Carder advised that the Bullitt/Jamison Pilot Project will be quite comprehensive, and inquired as to other types of projects that the proposed consultant has been involved with.

Rolanda A. Johnson, Assistant City Manager for Community Development, advised that the consultant has extensive experience in comprehensive master planning, downtown development, neighborhood development, neighborhood financing and management, community participation and comprehensive management projects. She further advised that the President of the corporation worked as head of the local CDC, NNEO, and therefore has experience in the Roanoke area. She noted that the consultant recently prepared a project for Craig County which involves tax credits for a 60 unit building, downtown revitalization in Franklin County, Radford University, Blue Ridge Parkway, a tax credit application for the Jefferson Center, Shenandoah Hotel tax credit, and is currently working on the Dumas Hotel tax credit project.

Vice-Mayor Carder advised that his favorable vote is contingent on the consultant having a proven track record in comprehensive neighborhood service planning and he would like the assurance that the consultant has experience in coordinating such services as police, social services, streets and traffic, parks and recreation, etc. He inquired as to what experience the consultant will bring to the City that does not currently exist, and how will other partners, such as the Roanoke Redevelopment and Housing Authority, be brought into the planning process.

Ms. Johnson explained that Bullitt/Jamison Avenue is a pilot project which will involve working closely with the neighborhoods, along with the Roanoke Redevelopment and Housing Authority, but prior to proceeding, it is necessary to engage the services of a consultant with a history of consensus building and working with neighborhoods. Therefore, she stated that the process will be a learning experience which will prepare City staff in order to move on to the next targeted neighborhood.

The City Manager explained that once the consultant is hired, a community meeting will be held at which various City departments will be represented, as well as neighborhood representatives, the Housing Authority, Blue Ridge Housing, various lending institutions and others. She explained that City staff needs to learn from this experience so that it will not be necessary to hire a consultant for future projects.

Mr. Harris inquired as to whether action on the matter could be deferred until the Council meeting on Monday, April 1, 2002, to provide time to address certain issues raised by Vice-Mayor Carder. The City Manager responded that the matter could be delayed; however, there is a concern on the part of certain organizations that the master plan is needed before they or other organizations can spend next year's allocation of Community Development Block Grant funds. In view of the fact that certain members of Council have expressed concerns, she requested that Council approve the amendment to the Consolidated Plan Annual Update; however, execution of the consultants' contract will be delayed until staff has met with those Members of Council who have expressed concerns.

Following discussion, it was the consensus of Council to act on the request of the City Manager to amend the 2001-02 Consolidated Plan Annual Update, with the understanding that the City Manager will meet with those Members of Council who have expressed concerns prior to execution of the contract with the consultant.

Resolution No. 35775-031802 was adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----
6.

NAYS: None-----
0.

(Council Member White was absent.)

BUDGET-LEASES-EQUIPMENT: The City Manager and the Director of Finance submitted a joint communication advising that the City issued its first capital lease for the purchase of equipment in fiscal year 2001, which totaled \$2,503,000.00, and funded vehicular equipment, equipment for the new Police Building, and personal computers; a September 4, 2001, City Council report on the Capital Maintenance and Equipment Replacement Program (CMERP) recommended replacing various items of vehicular equipment, a portion of which was recommended to again be lease financed; and City Council appropriated \$510,523.00 at the January 22, 2002, City Council meeting for equipment purchases in anticipation of execution of an equipment lease financing agreement.

It was further advised that an Invitation for Bids for lease financing of \$1,157,500.00 vehicular equipment was publicly advertised and sent to over 20 banks and leasing agencies on February 8, 2002, and nine responses were received; Koch Financial Corporation submitted the most responsive bid, proposing an interest rate of 3.74% for a five year period; annual lease payment will be \$253,883.00 for each of the next five fiscal years; and pending City Council's approval, funding for lease purchase payments will be included in the annually adopted budget of the Fleet Management Fund.

The City Manager and the Director of Finance recommended that Council adopt a resolution authorizing execution of the Lease Purchase Agreement with Koch Financial Corporation, and also authorizing execution of any other required documents related to the Lease Purchase Agreement; and adoption of a budget ordinance appropriating lease financing proceeds of \$1,157,500.00 to an account in the Fleet Management Fund.

Mr. Carder offered the following emergency budget ordinance:

(#35776-031802) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Fleet Management Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 469.)

Mr. Carder moved the adoption of Ordinance No. 35776-031802. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris, and Mayor Smith-----
6.

NAYS: None-----
0.

(Council Member White was absent.)

Mr. Carder offered the following resolution:

(#35777-031802) A RESOLUTION of the Council of the City of Roanoke, Virginia, accepting the bid of Koch Financial Corporation and awarding and approving the form and the terms, conditions and provisions of an equipment lease purchase agreement relating to the acquisition of vehicular equipment by the City, by and between Koch Financial Corporation, as lessor, and the City, as lessee, and authorizing the execution and delivery thereof; approving the form and the terms, conditions and provisions of an escrow agreement, by and among the City, Koch Financial Corporation and SunTrust Bank, as escrow agent, and authorizing the execution and delivery thereof; authorizing the members of the Council and the officials and employees of such City to take further action to carry out this resolution and the transactions contemplated hereby and by the aforementioned equipment lease purchase agreement and escrow agreement; making certain findings and determinations; and rejecting all other bids.

(For full text of Resolution, see Resolution Book No. 65, page 470.)

Mr. Carder moved the adoption of Resolution No. 35777-031802. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris, and Mayor Smith-----
6.

NAYS: None-----
0.

(Council Member White was absent.)

Council Member Hudson requested information with regard to cost savings as a result of the lease purchase arrangement.

DIRECTOR OF FINANCE:

DIRECTOR OF FINANCE-BUDGET-CITY GOVERNMENT-CITY INFORMATION SYSTEM: The Director of Finance submitted a written report advising that the City of Roanoke's Department of Technology Fund accounts for technology planning and support services provided to departments; and the Department of Technology Fund recovers its costs by charging the receiving departments for services provided.

It was further advised that at the beginning of fiscal year 2002, the methodology for calculating Department of Technology charges to user departments was revised to more accurately allocate costs; an update in billing methodology was necessary due to substantial changes and advances in technology used by the City organization; a proposed budget ordinance will make appropriations transfers among departments to reallocate funds for Department of Technology charges for the fiscal year; the modified billing method resulted in lower than budgeted charges to the General Fund, while charges are larger than budgeted amounts in other funds; thus, funding of \$88,000.00 will be transferred from the General Fund to the Civic Center Fund to cover Department of Technology charges in excess of current budgeted amounts; the General Fund will supplement excess DOT charges to the Civic Center Fund in fiscal year 2002 since revenues were not budgeted to cover these charges; furthermore, the General Fund has budgeted more than it will ultimately need in fiscal year 2002 for DOT charges, allowing the flexibility to provide for said charges in other funds; and in subsequent years, expense budgets for technology costs in the Civic Center Fund will be increased to acknowledge actual technology costs of operations.

The Director of Finance recommended that Council adopt the above referenced budget ordinance:

Mr. Carder offered the following emergency budget ordinance:

(#35778-031802) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General, Civic Center and Department of Technology Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 473.)

Mr. Carder moved the adoption of Ordinance No. 35778-031802. The motion as seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----
6.

NAYS: None-----
0.

(Council Member White was absent.)

REPORTS OF COMMITTEES:

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting that Council appropriate \$189,291.00 for the Urgent School Renovation and Technology Grant to be used for infrastructure modifications and equipment to meet requirements for funding, which include upgrades and modifications in support of networking, intercom and cable systems at various schools, said new program will be funded with Federal funds, was before the body.

A report of the Director of Finance recommending that Council concur in the request of the School Board, was also before the body.

Mr. Carder offered the following emergency budget ordinance:

(#35779-031802) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 School Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 479.)

Mr. Carder moved the adoption of Ordinance No. 35779-031802. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----
6.

NAYS: None-----
0.

(Council Member White was absent.)

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: None.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

BUDGET: Vice-Mayor Carder referred to a communication from the City Manager in connection with the impact on the City's budget as a result of State budget reductions for fiscal year 2003. He called attention to a decrease of \$174,000.00, which is basically cutting Blue Ridge Behavioral Health Care by 26 per cent for all types of mental health services in the City of Roanoke; and the State has cut the equivalent of one Assistant Commonwealth Attorney, ten full time Deputy Sheriffs, one Deputy Tax Clerk, and one Treasurer Clerk in the category of shared expenses. In terms of other categorical aid, he stated that there is a reduction of \$751,000.00, or the equivalent of the elimination of seven full time Police Officers, five full time Deputy Sheriffs, and seven full time positions with Youth Services, the Crisis Intervention Center, and Youth Haven. In summary, he advised that basically, the State has cut the equivalent of 40 jobs in the City of Roanoke. To address the matter, he stated that at some time in the future, it is hoped that the Governor and the General Assembly will review tax restructuring.

FIRE DEPARTMENT: Council Member Wyatt expressed concern with regard to a fungus-like material that is growing in the air vents in the kitchen area at Fire Station #10, 5202 Aviation Drive, N. W.

BUSES-ROANOKE CIVIC CENTER: Mr. Hudson inquired if a small bus could be used for the employee shuttle from the Roanoke Civic Center to downtown Roanoke; whereupon, the City Manager advised that two buses were purchased as a part of a pilot project through a special Federal grant. She explained that the General Manager of Valley Metro was charged with the responsibility of identifying the type of buses to be used, with the goal of using the buses for other purposes in the future.

The Mayor requested a work session on the public transit system.

CITY MANAGER COMMENTS:

WATER RESOURCES: The City Manager advised of a slight increase in the water level at the Carvins Cove Reservoir as a result of rainfall over the weekend.

She presented copy of the following publications that are available to Roanoke's citizens; i.e.: *Every Drop Counts*, A Citizens Guide To Mandatory Water Conservation, and *The Roanoke Citizen Magazine*.

PURCHASE/SALE OF PROPERTY: The City Manager submitted a communication advising that an existing surface parking lot located between 117 and 123 Salem Avenue S. W., consists of approximately 95 parking spaces situated on ten separate parcels of land; three of the parcels, identified as Official Tax Nos. 1010409, 1010410 and 1010411, contain approximately 35 parking spaces; the owner of the three parcels, Virginia Vaughn, represented by First National Managed Properties, has offered the City first option to purchase the property for the appraised value of \$205,000.00; last year, the City purchased two warehouses located at 117- 119 Norfolk Avenue and intends to market the structures as technology space for small businesses; and in order to make this area a desirable location, technology companies have stressed the importance of providing parking adjacent to the property.

It was further advised that funding, in the amount of \$205,000.00, for purchase of the parcels of land is available in the Transportation Fund retained earnings; whereupon, the City Manager recommended that she be authorized to execute the appropriate documents, in a form to be approved by the City Attorney, to purchase said property from Virginia Vaughn, represented by First Union Managed Properties, in the amount of \$205,000.00, subject to an acceptable title search, and appropriation of \$205,000.00 from retained earnings of the Transportation Fund to an account to be established by the Director of Finance.

Mr. Carder offered the following ordinance:

(#35780-031802) AN ORDINANCE providing for the acquisition of property located between 117 and 123 Salem Avenue, S. W., and identified by Roanoke City Tax Map Nos. 1010409, 1010410, and 1010411, from Virginia Vaughn, authorizing the proper City officials to execute and attest any necessary documents for this acquisition; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 480.)

Mr. Carder moved the adoption of Ordinance No. 35780-031802. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

**AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----
6.**

**NAYS: NONE-----
0.**

(Council Member White was absent.)

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard; it is also a time for informal dialogue between Council Members and citizens; and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

There were no requests by citizens to speak.

At 5:40 p.m., the Mayor declared the meeting in recess to be reconvened in Closed Session in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building.

At 6:55 p.m., the Mayor declared the meeting in recess to be reconvened at 7:00 p.m., in the City Council Chamber.

At 7:00 p.m., on Monday, March 18, 2002, the regular meeting of City Council reconvened in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William D. Bestpitch, Linda F. Wyatt, William H. Carder, W. Alvin Hudson, Jr., C. Nelson Harris and Mayor Ralph K. Smith-----
-6.

ABSENT: Council Member William White, Sr.-----
1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Mayor Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PUBLIC HEARINGS:

PURCHASE/SALE OF PROPERTY-CITY PROPERTY: Pursuant to instructions of Council, the City Clerk having advertised a public hearing for Monday, March 18, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard in the City Council Chamber, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, to consider the sale and conveyance of City-owned property located on Nelms Lane, N. E., identified as Official Tax No. 7400500, to James E. and Betty W. Whittaker for \$500.00, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, March 10, 2002 and The Roanoke Tribune on Thursday, March 14, 2002.

The City Manager submitted a communication advising that the City currently owns property located on Nelms Lane N. E., identified as Official Tax No. 7400500; an adjacent property owner has contacted the City regarding the purchase of said property by correspondence dated February 11, 2002, for \$500.00, which is the current assessed value of the property; it has been determined that there is no real benefit in City ownership of the property; the property contained a well that has since been capped and is no longer in use; and there is no access to the property since it is contained on all sides by property owned by others.

Following a public hearing on disposition of surplus property, the City Manager recommended that she be authorized to execute the appropriate

documents to convey the property to James E. and Betty W. Whittaker for the consideration of \$500.00, such documents to be in a form approved by the City Attorney.

Mr. Bestpitch offered the following ordinance:

(#35781-031802) AN ORDINANCE authorizing the City Manager to execute an agreement, deed and any related and necessary documents providing for the sale and conveyance of City-owned property located on Nelms Lane, N. E., and being identified as Official Tax No. 7400500, to James E. and Betty W. Whittaker, upon certain terms and conditions, and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 481.)

Mr. Bestpitch moved the adoption of Ordinance No. 35781-031801. The motion was seconded by Mr. Carder.

The Mayor inquired if there are persons present who would like to address Council in connection with the matter. There being none, Ordinance No. 35781-031802 was adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----
6.

NAYS: None-----
0.

(Council Member White was absent.)

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard; it is also a time for informal dialogue between Council Members and citizens; and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

There were no requests by citizens to speak.

At 7:15 p.m., the Mayor declared the meeting in recess for continuation of the Closed Sessions which were previously approved by Council.

At 7:45 p.m., the meeting reconvened in the Council Chamber, with all members of the Council in attendance, except Council Member White, Mayor Smith presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Wyatt, Carder, Hudson, Harris and Mayor Smith-----
6.

NAYS: None-----
0.

(Council Member White was absent.)

There being no further business, the Mayor declared the meeting adjourned at 7:50 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor
